

REMARKS

By this amendment, no claims have been cancelled. Hence, Claims 27-52, 63-88, and 92-95 are pending in the application.

The allowance of each of the pending claims is gratefully acknowledged.

REFERENCE TO EACH FILED REISSUE APPLICATION HAS BEEN ADDED

The Office Action objected to the specification under 37 CFR § 1.177 for lacking notice that one or more reissue applications has been filed.

The Applicants have herein amended their specification to include notice of each and every reissue application based on U.S. Patent No. 5,857,180. Consequently, it is respectfully submitted that this concern has been addressed and overcome.

ALL PENDING CLAIMS HAVE BEEN UNDERLINED

The Office Action indicated that the claims submitted on October 5, 2004 failed to comply with 37 CFR § 1.173(b)(2) because all the claims were not underlined in their entirety without bracketing. The listing of claims presented herein underlines the language recited in all pending claims, without reciting any bracketed language to indicate deleted subject matter, as the markings in the listing of claims are made relative to the date of the filing of the reissue application pursuant to 37 CFR § 1.173(g). Consequently, it is respectfully submitted that this concern has been addressed and overcome.

SUPPLEMENTAL DECLARATION OF EACH INVENTOR SUBMITTED

The Office Action indicated that a supplemental reissue declaration (form PTO/SB/51S) from each inventor was required. Applicants hereby submit a signed supplemental reissue declaration (form PTO/SB/51S) from each inventor. Consequently, it is respectfully submitted that this concern has been addressed and overcome.

CONCLUSION

For the reasons set forth above, it is respectfully submitted that all of the pending claims are now in condition for allowance. Therefore, the issuance of a formal Notice of Allowance is believed next in order, and that action is most earnestly solicited.

The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

Please charge any shortages or credit any overages to Deposit Account No. 50-1302.

Respectfully submitted,

HICKMAN PALERMO TRUONG & BECKER LLP

Dated: August 18, 2006



Christopher J. Brokaw
Registration No. 45,620

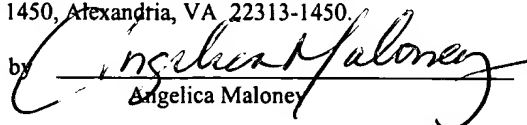
2055 Gateway Place, Suite 550
San Jose, California 95110-1089
Tel: (408) 414-1080 ext. 225
Fax: (408) 414-1076

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: **Mail Stop Amendment,** Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313-1450.

on August 18, 2006

by


Angelica Maloney



PTO/SB/515 (10-05)

Approved for use through 04/30/2007. OMB 0551-0023

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**SUPPLEMENTAL DECLARATION
FOR REISSUE
PATENT APPLICATION
TO CORRECT "ERRORS" STATEMENT
(37 CFR 1.175)**

| | |
|------------------------|-----------------|
| Attorney Docket Number | 50277-1646 |
| First Named Inventor | Gary Hallmark |
| COMPLETE if known | |
| Application Number | 09/757,399 |
| Filing Date | January 5, 2001 |
| Art Unit | 2161 |
| Examiner Name | Frantz Coby |

I/We hereby declare that:

Every error in the patent which was corrected in the present reissue application, and which is not covered by the prior oath(s) and/or declaration(s) submitted in this application, arose without any deceptive intention on the part of the applicant.

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

I/We hereby declare that all statements made herein of my/our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

| | | | |
|--|---------------------|---|-------------|
| Name of Sole or First Inventor: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle [if any]) | | Family Name or Surname | |
| Gary | | Hallmark | |
| Inventor's Signature | | Date | |
| Name of Second Inventor: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle [if any]) | | Family Name or Surname | |
| Daniel | | Leary | |
| Inventor's Signature | <i>Daniel Leary</i> | Date | 24 Jul 2006 |

☐ Additional inventors or legal representatives(s) are being named on the _____ supplemental sheets PTO/SB/024 or 02UR attached hereto.

This collection of information is required by 37 CFR 1.175. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/51S (10-05)
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 TO CORRECT "ERRORS" STATEMENT
 (37 CFR 1.175)**

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| | | | |
|--|--------------------|---|---------------|
| Name of Sole or First Inventor: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle (if any)) | | Family Name or Surname | |
| Gary | | Hallmark | |
| Inventor's Signature | <i>[Signature]</i> | Date | July 11, 2006 |
| Name of Second Inventor: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle (if any)) | | Family Name or Surname | |
| Daniel | | Leary | |
| Inventor's Signature | | Date | |

☐ Additional inventors or legal representatives(s) are being named on the _____ supplemental sheets PTO/SB/02A or 02LR attached hereto.

This collection of information is required by 37 CFR 1.175. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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